

A regular meeting of the Town Board of the Town of Sweden was held at the Town Hall, 18 State Street, Brockport, New York, on Tuesday, June 26, 2012.

Town Board Members present were Supervisor Patricia Connors, Councilperson Rebecca Donohue and Councilperson Donald Roberts, Jr. Councilpersons Robert Carges and Kevin Johnson were absent. Also present were Director of Finance Leisa Strabel, Town Attorney Jim Bell and Town Clerk Karen M. Sweeting. Superintendent of Highways Fred Perrine arrived at 7:50 p.m.

Visitors present were residents Jim Hamlin and Rhett King, Seymour Library Board member Linda Sanford, Seymour Library Director Andrea Tillinghast, and Brockport Fire Department representatives Don Marenus and John Rombaut.

Supervisor Connors called the meeting to order at 7:30 p.m. and asked everyone present to say the Pledge to the Flag. Supervisor Connors then acknowledged the presence of the visitors and asked if anyone wanted to speak.

Seymour Library Director Andrea Tillinghast presented the board with copies of the “Annual Report 2012” and highlighted several key points. Ms. Tillinghast explained to the board that one of her goals as director is to mirror the Town’s Comprehensive Plan to improve the availability of cultural resources, provide facilities and services to residents and to provide diverse recreational possibilities. Ms. Tillinghast has met with Recreation Supervisor Jill Wisnowski to discuss collaboration of programming.

Brockport Fire Department representatives Don Marenus and John Rombaut presented the Sweden Town Board with a plaque thanking the board for all their years of support of the Brockport Fire Department.

Resident Rhett King expressed his appreciation to the Town Board and shared his thoughts and concerns with the proposed formation of the Village of Brockport court.

No other comments.

APPROVAL OF MINUTES

Minutes from May 22, 2012 were tabled.

Councilperson Roberts made a motion that was seconded by Councilperson Donohue to accept the minutes of the special meeting held on June 16, 2012. All voted in favor of the motion – three ayes. Motion adopted.

SUPERVISOR’S CORRESPONDENCE

2012	Received From:	Comments:
*1.	Kathleen Northrup, President Northrup Contracting, Inc.	Request for conditional dedication for Goldenhill Lane and Buckhorn Lane in Northview Subdivision
*2.	Lorraine Vyverberg, Resident Town of Hamlin	Letter of appreciation regarding Kathy Beaumont, Dog Control Officer

*Board has copies
RE: #2 A resident of the Town of Hamlin wrote the letter asking that it be read at the board meeting and placed in the file of Kathy Beaumont. Ms. Vyverberg appreciated the caring and kindness of Dog Control Officer, Kathy Beaumont in assisting her with an injured animal and getting that animal to the animal hospital. She felt Mrs. Beaumont went above and beyond her job duties as Dog Control Officer.

REPORTS

Town Attorney Jim Bell reported the assessment litigation settlement with PetsMart and other litigation updates.

Councilperson Donohue reported that she attended the Trail dedication ceremony at Sweden Town Park with Councilperson Roberts and Supervisor Connors. Mrs. Donohue sat in on the audit review with Finance Director Leisa Strabel and Town Auditor Chris Trento. In a discussion with Marie Bell, member of the Farmers' Museum Committee, it was noted that the committee would like to be involved in the bicentennial planning for the Town of Sweden.

Councilperson Roberts reported that he attended the Memorial Day celebration, the Trail dedication at Sweden Town Park and the Village Board meeting held on June 12, 2012. Mr. Roberts also met with Superintendent of Highways Fred Perrine relative to cemetery operations and burials.

Superintendent of Highways Fred Perrine reported that several county projects on White Road, Redman Road, Gallup Road and Reed Road are continuing. Two employees were sent to the Household Hazardous Waste Collection on June 16th in Ogden to assist with the collection. Mr. Perrine also reported that the paving work at Heritage Square has been completed.

Supervisor Connors reported attending the Memorial Day celebration, the Trail dedication at Sweden Town Park, a Fire Commissioners' meeting, Comprehensive Plan Review meetings and the Supervisors' luncheon. Mrs. Connors will be attending the NYS DOT 531/Route 31 improvement meeting to be held on July 27th.

RESOLUTIONS

RESOLUTION NO. 82 Accepting Conditional Dedication of a Portion of Goldenhill Lane and Buckhorn Lane, Part of Section 2 in Northview Subdivision

WHEREAS, Northrup Contracting, Inc., a business corporation of the State of New York, with its principle place of business at 32 Sweden Hill Road, Brockport, NY 14420, desires to convey to the Town of Sweden, the fee title to lands to be known as Goldenhill Lane (running north from existing Goldenhill Lane) and Buckhorn Lane (approximately 150 feet running west from Goldenhill Lane), which lie in Section II of the Northview Subdivision; and

WHEREAS, acceptance of the conditional dedication has been recommended by the Town Superintendent of Highways, and the Town Board has been advised by the Superintendent that the roadways, as installed, meet Town specifications with the exception of punch list items (see Attachment A) to be completed by December 31, 2012; and

WHEREAS, the Town Board desires to accept the conditional dedication of the roadways in the best interest of the health and safety of its residents and in keeping with the subdivision approvals of the Planning Board and the transportation needs and demands of the Town.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town of Sweden hereby agrees to accept delivery of the deed and transfer documents, _____, dedicating lands to be known as Goldenhill Lane and Buckhorn Lane, lying in Section II of the Northview Subdivision, and authorizes the Town Superintendent of Highways to begin operation and provide

maintenance of the roadway in accordance with applicable statutes and regulations.

Sec. 2. That the acceptance of the deed and transfer documents are subject to the written approval of the Town Attorney prior to their filing.

Sec. 3. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Donohue
Seconded by Councilperson Roberts

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Absent</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Absent</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – June 26, 2012

Adopted

RESOLUTION NO. 83 Appoint Recreation Assistants for Summer 2012

WHEREAS, the recreation department will be running a day camp this summer of 2012; and

WHEREAS, the Recreation Supervisor has recommended hiring seasonal staff for this program.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint the following people to the positions of Recreation Assistant, seasonal, noncompetitive, for the time period of June 22, 2012, to August 31, 2012, at the rate of pay following their names:

Rebecca Wright	\$9.50 per hour
Victoria Brudz	\$7.25 per hour
Wyatt Benda	\$7.25 per hour
Nick Tryka	\$7.25 per hour
Jonathan Fatta	\$7.25 per hour
Jeffrey Gloff	\$7.25 per hour
Emily O'Brien	\$7.25 per hour
Charles Billotti	\$7.25 per hour

Sec. 2. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Roberts
Seconded by Councilperson Donohue

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Absent</u>
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Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Absent</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – June 26, 2012

Adopted

RESOLUTION NO. 84

Authorize Salary Increase Harris

WHEREAS, part-time recreation assistant Terrence Harris’ duties have been expanded; and

WHEREAS, the Recreation Supervisor has recommended a salary increase.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby authorizes an increase in the hourly rate of Terrence Harris to \$9.50 per hour.

Sec. 2. That this resolution shall take effect June 30, 2012.

MOTION for adoption of this resolution by Councilperson Donohue

Seconded by Councilperson Roberts

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Absent</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Absent</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – June 26, 2012

Adopted

RESOLUTION NO. 85

Appoint Recreation Assistant PT – Holupko

WHEREAS, Recreation Supervisor has recommended the appointment of a Part Time Recreation Assistant to replace two Part Time Recreation Assistants.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby appoints Grant Holupko to the position of Recreation Assistant at the Sweden Clarkson Community Center.

Sec. 2. That the rate of pay be \$8.25 per hour for a maximum of 24 hours per week with a starting date of June 18, 2012.

Sec. 3. That the rate of pay be \$10 per hour when serving as the Pool Supervisor.

Sec. 4. That this resolution shall take effect immediately

MOTION for adoption of this resolution by Councilperson Roberts

Seconded by Councilperson Donohue

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Absent</u>	
Councilperson Donohue	<u>Aye</u>	
Councilperson Johnson	<u>Absent</u>	
Councilperson Roberts	<u>Aye</u>	
Supervisor Connors	<u>Aye</u>	
Submitted – June 26, 2012		Adopted

RESOLUTION NO. 86 Authorize Supervisor to Sign Lease Agreement for Fitness Equipment

WHEREAS, the Sweden Clarkson Recreation Supervisor has recommended that the Town lease the following several pieces of fitness equipment including two treadmills, multi-press, lat-pull row machine, leg press, stretch trainer and assorted dumbbells and racks; and

WHEREAS, the proposed lease is for 60 monthly payments of \$441.87; and

WHEREAS, the Town of Sweden will be able to purchase the equipment at the end of five years for \$1; and

WHEREAS, three pieces of old equipment will be traded in for a \$600 credit on the lease.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Sweden Town Board hereby authorizes the Supervisor to sign a lease agreement with the Real Lease 1200 Pittsford-Victor Road, Pittsford, NY 14534 for the aforementioned fitness equipment.

Sec. 2. That the lease agreement is subject to the Town Attorney’s approval.

Sec. 3. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Roberts
Seconded by Councilperson Donohue

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Absent</u>	
Councilperson Donohue	<u>Aye</u>	
Councilperson Johnson	<u>Absent</u>	
Councilperson Roberts	<u>Aye</u>	
Supervisor Connors	<u>Aye</u>	
Submitted – June 26, 2012		Adopted

RESOLUTION NO. 87 Authorizing Lease Agreement Between the Town of Sweden and The Bridge Church

WHEREAS, The Bridge Church, with a mailing address of PO Box 308, Brockport, NY 14420, is interested in leasing space at the Sweden Senior Center, 133 State Street, Brockport, NY 14420 on Sunday mornings to conduct church services; and

WHEREAS, The Sweden Senior Center is not used for recreational or educational programming on Sunday mornings.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town enters into a lease agreement with The Bridge Church for lease of space at the Sweden Senior Center for a term specified in said agreement and subject to the approval of the Town Attorney.
- Sec. 2. That Town Board of the Town of Sweden authorizes the Supervisor to sign the lease agreement.
- Sec. 3. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Donohue
Seconded by Councilperson Roberts

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Absent</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Absent</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – June 26, 2012

Adopted

RESOLUTION NO. 88 Approving Transfer of Funds to the Brockport Fire District

WHEREAS, the Sweden Town Board initiated proceedings to dissolve the Sweden Fire Protection District pursuant to Article 11 of the General Municipal Law, which dissolution was contingent upon the establishment of the Brockport Fire District; and

WHEREAS, the Sweden Town Board did endorse the plan for dissolution of said fire protection district on August 9, 2011; and

WHEREAS, a lead agency agreement was made among the Village of Brockport, the Town of Sweden and the Town of Clarkson, naming the Town of Clarkson the lead agency for the purpose of the dissolution of the Clarkson Fire Protection District and the Sweden Fire Protection District as well as the establishment of the Brockport Fire District; and

WHEREAS, on September 27, 2011, a determination under SEQRA was made by the Clarkson Town Board as lead agency, regarding the dissolution of the Sweden Fire Protection District of no significant adverse environmental impact, which determination by agreement was binding on all involved agencies; and

WHEREAS, the Sweden Town Board did on September 20, 2011 hold a public hearing on the plan at the Sweden Town Hall, at which time all interested persons were heard; and

WHEREAS, the Brockport Fire District was established by vote of the resident electors of the Town of Sweden and the Village of Brockport, and the Town of Clarkson on November 29, 2011; and

WHEREAS, the Town Board of the Town of Sweden voted to dissolve the District in accordance with the August 9, 2011 dissolution plan on February 28, 2012 with an effective date of June 30, 2012 at 11:59 pm.

WHEREAS, the New York State Assembly approved Bill A10200 on June 20, 2012 and the New York State Senate approved Bill S7307 on June 13, 2012 further authorizing the transfer of assets from the Town of Sweden, Town of Clarkson and Village of Brockport to the Brockport Fire District.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Director of Finance of the Town of Sweden is directed to dissolve the Sweden Fire Protection District Special Fund and remit the balance of the fund, including interested to be posted on June 30, 2012, to the Brockport Fire District on Monday, July 2, 2012.

Sec.2. That the approximate fund balance is \$204,580 (two hundred four thousand five hundred eighty dollars).

MOTION for adoption of this resolution by Councilperson Donohue
Seconded by Councilperson Roberts

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Absent</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Absent</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – June 26, 2012

Adopted

RESOLUTION NO. 89

Authorizing Payment of Stipend to
Court Clerk – Caporale

WHEREAS, the Town Justices have requested that Court Clerk Tracy Caporale be compensated for performing certain court administrative duties that are beyond normal court clerk duties; and

WHEREAS, these duties include but are not limited to preparing the annual court budget request, monitoring the court’s budget and attending Town department head meetings.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby authorizes an annual stipend of \$3,172 to Tracy Caporale for additional administrative duties.

Sec. 2. That the stipend will be paid at a bi-weekly rate of \$122 beginning July 2, 2012.

Sec. 3. That funding for the stipend will be made available from the court contractual budget through the budget modification process.

Sec. 4. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Roberts
Seconded by Councilperson Donohue

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Absent</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Absent</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – June 26, 2012

Adopted

RESOLUTION NO. 90

Accepting Audit of Court Records

WHEREAS, the Town Board of the Town of Sweden retained Christopher Trento, Certified Public Accountant, to perform an audit of the Sweden Town Court records and dockets for the fiscal year ending December 31, 2011; and

WHEREAS, Mr. Trento submitted a report of the 2011 court audit on May 24, 2012; and

WHEREAS, the Sweden Town Board has had the opportunity to review the court audit report.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden accepts the findings of Christopher Trento, Certified Public Accountant pertaining to the 2011 Sweden Town Court records and dockets.

Sec. 2. That the Director of Finance is authorized to forward a copy of Mr. Trento’s report to the NYS Office of Court Administration.

Sec. 3. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Donohue
Seconded by Councilperson Roberts

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Absent</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Absent</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – June 26, 2012

Adopted

RESOLUTION NO. 91

SEQRA Determination – 2012 CDBG Land Acquisition, Fire Protection Facility Infrastructure Project

WHEREAS, the Town Board of the Town of Sweden, Monroe County, New York, applied for a Community Development Block Grant for a project titled 2012 Land Acquisition, Fire Protection Facility Infrastructure Project; and

WHEREAS, the proposed Project consists of acquiring property identified by tax account number 069.03-1-1 in the Town of Sweden, to design a structure and provide utilities to the site of a future fire protection facility; and

WHEREAS, to aid the Town Board in determining whether such Project and other actions of the Town in connection therewith (the “action”) may have a significant effect on the environment, the Board has caused to be prepared an environmental assessment form or similar information (“EAF”), a copy of which is attached hereto; and

WHEREAS, the Town Board has duly reviewed the EAF and related documents with respect to the above-referenced action and duly considered the impacts which may be expected to result from such action with the criteria set forth in Article 8 of the State Environmental Quality Review Act and the applicable regulations promulgated thereunder (“SEQRA”).

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. Based upon the review by the Town Board of the EAF and other necessary criteria, the Board hereby finds that the object of the above-referenced action (a) will result in no major impacts and, therefore, is not one which “may have a significant effect on the environment,” (b) will not have a “significant effect on the environment,” and (c) no “environmental impact statement” need be prepared, as such quoted terms are used in SEQRA. The proposed Project does not constitute a “Type I Action” as such quoted term is defined in the regulations of the Department of Environmental Conservation of the State of New York (6NYCRR Part 617, as amended). Reasons supporting this determination are set forth on the notice of negative declaration of the Board attached hereto and hereby made a part of this resolution for the purposes of SEQRA. This determination constitutes a negative declaration for purposes of SEQRA.

Sec. 2. A copy of this resolution, together with the notice of negative declaration, shall be placed on file in the office of the Clerk of the Town where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such newspapers as shall be necessary to conform to the requirements of SEQRA.

MOTION for adoption of this resolution by Councilperson Donohue
Seconded by Councilperson Roberts

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Absent</u>	
Councilperson Donohue	<u>Aye</u>	
Councilperson Johnson	<u>Absent</u>	
Councilperson Roberts	<u>Aye</u>	
Supervisor Connors	<u>Aye</u>	
Submitted – June 26, 2012		Adopted

APPROVAL FOR PAYMENT OF BILLS

All of the Board members reviewed the invoice audit journal. Councilperson Roberts made a motion that was seconded by Councilperson Donohue authorizing payment of the bills in Abstract 6 dated June 27, 2012 in the amount of \$208,240.16. All voted in favor of the motion – three ayes. Motion adopted.

General Fund: In the amount of \$117,091.36 as set forth in Abstract 6 dated June 27, 2012.

Highway Fund: In the amount of \$32,791.55 as set forth in Abstract 6 dated June 27, 2012.

Special Fund: In the amount of \$58,357.25 as set forth in Abstract 6 dated June 27, 2012.

DISCUSSION AND ANNOUNCEMENTS

A work session is scheduled for July 10, 2012 at 7 p.m.

EXECUTIVE SESSION

Councilperson Roberts made a motion that was seconded by Councilperson Donohue to go into executive session at 8:20 p.m. to discuss a legal matter. All voted in favor of the motion – three ayes. Motion adopted.

No action taken.

Councilperson Donohue made a motion that was seconded by Councilperson Roberts to leave executive session and return to the regular meeting at 8:37 p.m. All voted in favor of the motion – three ayes. Motion adopted.

RESOLUTION NO. 92

Granting Renewal of Excavation Permit to Iroquois Rock Products

WHEREAS, the Town Board of the Town of Sweden on March 28, 1984, duly enacted and adopted by resolution "Regulations for Issuance of Excavation Permit" (hereinafter referred to as the "Regulations") which regulations include procedures for the issuance of a renewal of the permit; and

WHEREAS, Iroquois Rock Products, Inc. has filed an application for renewal of its permit, originally granted June 24, 1997 for a term of three years, alleging in its application that there are no changes from the permit granted as aforesaid; and

WHEREAS, pursuant to the regulations the Town Board circulated a notice of the application to the Town of Sweden Planning Board, the Town Environmental Conservation Board, the Town Engineer and Monroe County Planning & Development; and

WHEREAS, the Town Board held a public hearing at the Town Hall, 18 State Street, Brockport, New York on May 22, 2012 at 7:15 p.m. to consider granting the renewal of the excavation permit, as requested, and at said time and place heard all persons interested in the subject thereof; and

WHEREAS, the Town Board after review of the application and all previous environmental submissions and proceedings by the applicant determined that the action will not have a significant environmental effect and under SEQR Section 617.5(c)26 is a Type II Action; and

WHEREAS, the Town Board now desires to grant a renewal of the excavation permit to Iroquois Rock Products, Inc.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the approval and granting of the excavation permit renewal as requested in the Application would be in harmony with the intent and purpose of the Regulations for Excavation Permit and the Town's Zoning Ordinance, that the proposed use conforms to the standards prescribed therefore in said Regulations; and that there is fulfillment of any other conditions or standards specified in the regulations.

Sec. 2. That having given due consideration to all of the evidence referred to and recited in this Resolution, the Town Board of the Town of Sweden hereby grants to Iroquois Rock Products, Inc. an Excavation Permit for a term of three (3) years from June 24, 2012 to June 24, 2015.

Sec. 3. That the excavation as described in the Application for which this excavation permit is granted shall be carried out in compliance with the Town of Sweden Regulations for Issuance of Excavation Permit.

Sec. 4. The Town Clerk shall cause copies of this Resolution to be posted on the Town Clerk's signboard and filed in the office of the Town Clerk.

Sec. 5. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Roberts
Seconded by Councilperson Donohue

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Absent</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Absent</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – June 26, 2012

Adopted

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Donohue moved to adjourn the June 26, 2012 meeting of the Sweden Town Board at 8:40 p.m. Councilperson Roberts seconded the motion. All voted in favor of the motion – three ayes. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk